

## REMARKS

Original claims 1-6, 8-17 and 19-23 stand rejected under 35 U.S.C. 102(e) as being anticipated by Ulvinen et al. (US Patent No. 6,393,305) (Ulvinen).

Original claims 7 and 18 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Ulvinen in view of Bisbee et al. (U.S. Patent No. 6,237,096) (Bisbee).

Claims 1, 3, 8-13, 15, and 21 have been amended. Support for the amendments may be found in the original filed application at pages 69, 71, 72 and throughout the specification. No new matter has been added.

Applicants hereby reserve the right to swear behind the cited references.

### 102(e) Rejections

Original claims 1-6, 8-17 and 19-23 stand rejected under 35 U.S.C. 102(e) as being anticipated by Ulvinen et al. (US Patent No. 6,393,305) (Ulvinen).

Claim 1 as amended recites:

1. (Amended) A method comprising:
  - identifying an authorized user with a biometric device;
  - receiving private access information from a remote source;
  - and
  - enabling the authorized user to access information over a voice network by using the received private access information.

Ulvinen is a "Secure wireless communication user identification by voice recognition" (Title) and discloses "A method to authorize or authenticate a user of a wireless telecommunication system (32), and includes steps of (a) selecting a word at random from a set of reference words, or synthesizing a reference word; (b) prompting the user to speak the reference word; and (c) authenticating the user to

operate in, or through, or with a resource reachable through the wireless telecommunication system, only if the user's speech characteristics match pre-stored characteristics associated with the reference word." (Abstract).

Applicants' claim 1 is not anticipated by Ulvinen because Ulvinen does not disclose "receiving private access information from a remote source." Applicants therefore respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection for claim 1 and those claims dependent thereon.

As per amended claims 8, 9, 11, 12, 13, 15, and 21, these claims also include a limitation pertaining to receiving private access information from a remote source. Therefore, for the same reasons as discussed above, Applicants further request withdrawal of the § 102(e) rejection and allowance of independent claims 8, 9, 11, 12, 13, 15, and 21 as well as those claims dependent thereon.

#### 103(a) Rejections

Original claims 7 and 18 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Ulvinen in view of Bisbee et al. (U.S. Patent No. 6,237,096) (Bisbee).

Claims 7 and 18 are respectively dependent on independent claims 1 and 15, and so inherit, as discussed above, the limitation relating to receiving private access information from a remote source, which Ulvinen does not disclose or suggest. The Office Action (page 7) states "Bisbee et al. teaches wherein accessing further comprises establishing a secure communication channel using Public Key Infrastructure (PKI) (see column 2, lines 13-21)." Bisbee is a "System and method for electronic transmission storage and retrieval of authenticated documents" (Title) and does not disclose the limitation of receiving private access information from a remote source. Applicants submit that Ulvinen in view of Bisbee does not make obvious what is claimed in Applicants' claims 7 and 18 because Ulvinen in view of

Bisbee does not teach or suggest receiving private access information from a remote source. Applicants respectfully request withdrawal of the 35 U.S.C. § 103 (a) rejection based on Ulvinen in view of Bisbee for claims 7, and 18.

CONCLUSION

Applicants respectfully submit that all claims are in condition for allowance, and requests allowance of all claims.

The Examiner is invited to call Alan Heimlich at 408 720-8300 x326 if there remains any issue with allowance.

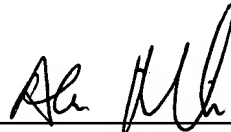
Please charge any shortage to our Deposit Account No. 02-2666 and take any extension of time necessary.

Respectfully submitted,

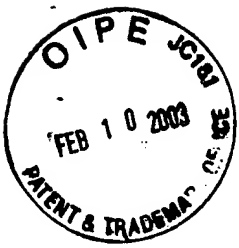
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**MARKED UP VERSION TO SHOW CHANGES**

In the Claims

Please amend the claims as follows:

1. (Amended) A method comprising:  
identifying an authorized user with a biometric device; ~~and~~  
receiving private access information from a remote source; and  
enabling the authorized user to access ~~private~~ information over a voice network by using the received private access information.
  
3. (Amended) The method of claim 2 wherein the consumer access device is selected from the group consisting of digital wallet (DW) devices, personal computers (PCs), personal digital assistants (PDAs), electronic based organizers, watches, telephones, autodialers, wireless telephones, settop boxes (STBs), video game counsels, remote control units, personal radio communication units, telematic communication devices, information panels, and kiosks.
  
8. (Amended) An apparatus comprising:  
a biometric device to identify an authorized user; and  
a consumer access device connected to the biometric device to enable the authorized user to receive private access information from a remote source and  
access restricted information over a voice network by using the received private access information.
  
9. (Amended) An apparatus comprising:  
means for identifying an authorized user with a biometric device; ~~and~~  
means for receiving private access information from a remote source; and  
means for enabling the authorized user to access ~~private~~ information over a voice network by using the received private access information.

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10. (Amended) The apparatus of claim 9, further comprising presenting the information to the authorized user on a consumer access device selected from the group consisting of digital wallet (DW) devices, personal computers (PCs), personal digital assistants (PDAs), electronic based organizers, watches, telephones, wireless telephones, settop boxes (STBs), video game counsels, remote control units, personal radio communication units, telematic communication devices, information panels, and kiosks.

11. (Amended) A machine-readable program storage medium tangibly embodying a sequence of instructions executable by a machine to perform a method for communicating, the method comprising:

identifying an authorized user with a biometric device; ~~and~~  
receiving private access information from a remote source; and  
enabling the authorized user to communicate information over a voice network by using the received private access information.

12. (Amended) A system comprising:

a memory for storing computer program instructions and data; and  
a processor coupled to the memory for processing the computer program instructions and data to:

identify an authorized user with a biometric device; ~~and~~  
receive private access information from a remote source; and  
enable the authorized user to communicate information over a voice network by using the received private access information.

13. (Amended) An apparatus for communication, the apparatus comprising:

means for identifying an authorized user with a biometric device; ~~and~~  
means for receiving private access information from a remote source; and  
means for enabling a device so that the authorized user may communicate over a voice network by using the received private access information.

15. (Amended) A system comprising:

a consumer access device with a communications unit; ~~and~~

a biometric device for allowing an authorized user access to the device; and

a storage unit for storing private access information received from a remote source.

21. (Amended) An apparatus comprising:

means for biometric identification of an authorized user;

means for displaying information to the authorized user;

means for receiving private access information from a remote source;

means for accepting authorized user input; and

means for communicating with a remote device.